

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

U.S. PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.: 044574-5040-01-US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PHYTOMICS: A GENOMIC-BASED APPROACH TO HERBAL COMPOSITIONS**

the specification of which:

is attached hereto; or

was filed as United States application Serial No. 10/030,453 on January 10, 2002 and was amended on \_\_\_\_\_ (if applicable); or

was filed as PCT international application Number PCT/US01/07608 on March 9, 2001 and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN APPLICATION(S):**

| COUNTRY<br>(if PCT, indicate PCT) | APPLICATION NUMBER | DATE OF FILING<br>(day, month, year) | PRIORITY CLAIMED   |
|-----------------------------------|--------------------|--------------------------------------|--|
|                                   |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|                                   |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|                                   |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|                                   |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No |

**Combined Declaration For Patent Application and Power of Attorney - (Continued)**  
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO.: 044574-5040-01-US

I hereby claim the benefits under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

**U.S. PROVISIONAL APPLICATIONS**

| U.S. PROVISIONAL APPLICATION NO. | U.S. FILING DATE |
|----------------------------------|------------------|
| 60/188,021                       | March 9, 2000    |
|                                  |                  |
|                                  |                  |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or §365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:**

| U.S. APPLICATIONS    |                  | STATUS (Check One) |         |           |
|----------------------|------------------|--------------------|---------|-----------|
| U.S. APPLICATION NO. | U.S. FILING DATE | PATENTED           | PENDING | ABANDONED |
|                      |                  |                    |         |           |
|                      |                  |                    |         |           |
|                      |                  |                    |         |           |
|                      |                  |                    |         |           |

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.

**Customer Number:** 009629

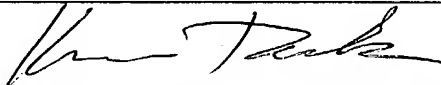
Direct Telephone Calls To:  
(name and telephone number)

**Erich E. Veitenheimer, III**  
**202-739-3000**

Combined Declaration For Patent Application and Power of Attorney - (Continued)  
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO.: 044574-5040-01-US

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|   |  |  |
|---|--|--|
| FULL NAME OF<br>SOLE OR FIRST<br>INVENTOR   | Patrick C. Kung  |  |
| RESIDENCE &<br>CITIZENSHIP  | Cambridge, Massachusetts   | COUNTRY OF<br>CITIZENSHIP<br>United States |
| POST OFFICE<br>ADDRESS  | 975 Memorial Drive, Unit 301, Cambridge, Massachusetts 02138               |  |
| FIRST OR SOLE INVENTOR'S SIGNATURE  |  | DATE                                       |
| FULL NAME OF<br>SECOND INVENTOR   | Konan Peck   |  |
| RESIDENCE &<br>CITIZENSHIP  | Taipei, Taiwan   | COUNTRY OF<br>CITIZENSHIP<br>Taiwan        |
| POST OFFICE<br>ADDRESS  | 6F, No. 8, Alley 30, Lane 78, Sec. 2, Fu-Shing S. Road, Taipei, Taiwan 106 |  |
| SECOND INVENTOR'S SIGNATURE  |  | DATE<br>7/14/2002                          |
| FULL NAME OF<br>THIRD INVENTOR  | Yun-Shien Lee  |  |
| RESIDENCE &<br>CITIZENSHIP  | Keelung, Taiwan  | COUNTRY OF<br>CITIZENSHIP<br>Taiwan        |
| POST OFFICE<br>ADDRESS  | 9F, Nwan-Nwan Street, Keelung, Taiwan 200                                  |  |
| THIRD INVENTOR'S SIGNATURE  |  | DATE                                       |

Listing of Inventors Continued on attached page(s)    ☒ Yes    ☐ No



[illegible]

ATTORNEY DOCKET NO.: 044574-5040-01-US

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|                                   |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No |
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Direct Telephone Calls To:  
(name and telephone number)

**Erich E. Veitenheimer, III**  
**202-739-3000**

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|  |  |  |
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| POST OFFICE<br>ADDRESS                             | 975 Memorial Drive, Unit 301, Cambridge, Massachusetts 02138               |  |
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| FULL NAME OF<br>SECOND INVENTOR                    | Konan Peck   |  |
| RESIDENCE &<br>CITIZENSHIP                         | Taipei, Taiwan   | COUNTRY OF<br>CITIZENSHIP<br>Taiwan        |
| POST OFFICE<br>ADDRESS                             | 6F, No. 8, Alley 30, Lane 78, Sec. 2, Fu-Shing S. Road, Taipei, Taiwan 106 |  |
| SECOND INVENTOR'S SIGNATURE                        |  | DATE                                       |
| FULL NAME OF<br>THIRD INVENTOR                     | Yun-Shien Lee  |  |
| RESIDENCE &<br>CITIZENSHIP                         | Keelung, Taiwan<br><i>604 Yun-Shien Lee</i>                                | COUNTRY OF<br>CITIZENSHIP<br>Taiwan        |
| POST OFFICE<br>ADDRESS                             | 9F, Nwan-Nwan Street, Keelung, Taiwan 200                                  |  |
| THIRD INVENTOR'S SIGNATURE<br><i>Yun-Shien Lee</i> |  | DATE<br><i>7/16/2002</i>                   |

Listing of Inventors Continued on attached page(s)    ☒ Yes    ☐ No





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(name and telephone number)

**Erich E. Veitenheimer, III**  
**202-739-3000**

Combined Declaration For Patent Application and Power of Attorney - (Continued)  
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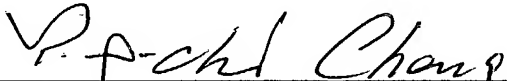
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|                                     |  |   |
|-------------------------------------|--|---|
| FULL NAME OF SOLE OR FIRST INVENTOR | Patrick C. Kung  |   |
| RESIDENCE & CITIZENSHIP             | Cambridge, Massachusetts   | COUNTRY OF CITIZENSHIP<br>United States |
| POST OFFICE ADDRESS                 | 975 Memorial Drive, Unit 301, Cambridge, Massachusetts 02138               |   |
| FIRST OR SOLE INVENTOR'S SIGNATURE  |  | DATE                                    |
| FULL NAME OF SECOND INVENTOR        | Konan Peck   |   |
| RESIDENCE & CITIZENSHIP             | Taipei, Taiwan   | COUNTRY OF CITIZENSHIP<br>Taiwan        |
| POST OFFICE ADDRESS                 | 6F, No. 8, Alley 30, Lane 78, Sec. 2, Fu-Shing S. Road, Taipei, Taiwan 106 |   |
| SECOND INVENTOR'S SIGNATURE         |  | DATE                                    |
| FULL NAME OF THIRD INVENTOR         | Yun-Shien Lee  |   |
| RESIDENCE & CITIZENSHIP             | Keelung, Taiwan  | COUNTRY OF CITIZENSHIP<br>Taiwan        |
| POST OFFICE ADDRESS                 | 9F, Nwan-Nwan Street, Keelung, Taiwan 200                                  |   |
| THIRD INVENTOR'S SIGNATURE          |  | DATE                                    |

Listing of Inventors Continued on attached page(s)    ☒ Yes    ☐ No

Combined Declaration For Patent Application and Power of Attorney - (Continued)  
(includes Reference to PCT International Applications)

ATTORNEY DOCKET NO.: 044574-5040-01-US

|                                 |   |  |
|---------------------------------|---|--|
| FULL NAME OF<br>FOURTH INVENTOR | Yuh-Pyng Sher   |  |
| RESIDENCE &<br>CITIZENSHIP      | Shijr Jen, Taiwan   | COUNTRY OF<br>CITIZENSHIP<br>Taiwan        |
| POST OFFICE<br>ADDRESS          | 7F, 114 Gungjian Road, Shijr Jen, Taiwan 221  |  |
| FOURTH INVENTOR'S SIGNATURE     |   | DATE                                       |
| FULL NAME OF<br>FIFTH INVENTOR  | Yung-Chi CHENG  |  |
| RESIDENCE &<br>CITIZENSHIP      | Woodbridge, Connecticut   | COUNTRY OF<br>CITIZENSHIP<br>United States |
| POST OFFICE<br>ADDRESS          | 961 Baldwin Road, Woodbridge, Connecticut 06525                                     |  |
| FIFTH INVENTOR'S SIGNATURE      |  | DATE<br>7/18/02                            |

Listing of Inventors Continued on attached page(s) ☐ Yes ☒ No

Combined Declaration For Patent Application and Power of Attorney - (Continued)  
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1-01  
FULL NAME OF  
SOLE OR FIRST  
INVENTOR

Patrick C. Kung

RESIDENCE &  
CITIZENSHIP

Cambridge, Massachusetts *MA*

COUNTRY OF  
CITIZENSHIP  
United States

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ADDRESS

975 Memorial Drive, Unit 301, Cambridge, Massachusetts 02138

FIRST OR SOLE INVENTOR'S SIGNATURE

*[Signature]*

DATE

*7/15/02*

2-01  
FULL NAME OF  
SECOND INVENTOR

Konan Peck

RESIDENCE &  
CITIZENSHIP

Taipei, Taiwan *TWX*

COUNTRY OF  
CITIZENSHIP  
Taiwan

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ADDRESS

6F, No. 8, Alley 30, Lane 78, Sec. 2, Fu-Shing S. Road, Taipei, Taiwan 106

SECOND INVENTOR'S SIGNATURE

DATE

3-01  
FULL NAME OF  
THIRD INVENTOR

Yun-Shien Lee

RESIDENCE &  
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Keelung, Taiwan *TWX*

COUNTRY OF  
CITIZENSHIP  
Taiwan

POST OFFICE  
ADDRESS

9F, Nwan-Nwan Street, Keelung, Taiwan 200

THIRD INVENTOR'S SIGNATURE

DATE

Listing of Inventors Continued on attached page(s)    ☒ Yes    ☐ No

